

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

PERIODONTAL ASSOCIATES)	
OF MEMPHIS, P.C.)	
)	
PLAINTIFF,)	
)	
v.)	Civil Action No. 2:16-cv-02751-SHM-tmp
)	
LIBERTY MUTUAL INSURANCE)	
COMPANY)	
)	
DEFENDANT.)	

UNOPPOSED MOTION TO SUBSTITUTE NAMED DEFENDANT

Defendant Liberty Mutual Insurance Company (“Liberty Mutual”) respectfully moves the Court to order that Peerless Indemnity Insurance Company (“Peerless”) be substituted as the Defendant in this action and that Liberty Mutual be dismissed without prejudice.

The claims in this action relate to an insurance policy issued by Peerless to the Plaintiff, Periodontal Associates of Memphis, P.C. (“Plaintiff”). Peerless is thus the correct party defendant with respect to Plaintiff’s claims and Liberty Mutual was incorrectly named as a Defendant.

Plaintiff has agreed to the requested substitution of Peerless and dismissal, without prejudice, of Liberty Mutual. An agreed order is submitted herewith.

Respectfully submitted,

FROST BROWN TODD LLC

/s/ Douglas W. Langdon

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*Counsel for Peerless Indemnity Insurance Company
and Liberty Mutual Insurance Company*

CERTIFICATE OF CONSULTATION

Pursuant to Local Rule 7.2(a)(1)(B), I hereby certify that I conferred with Plaintiff's counsel, Pamela Warnock Blair, on February 20, 2017 (via electronic mail) regarding the relief requested in this Motion. Ms. Blair confirmed Plaintiff has no objection to the requested relief and joins in asking the Court to enter the Agreed Order submitted in connection with this Motion.

/s/ Douglas W. Langdon

*Counsel for Peerless Indemnity Insurance Company
and Liberty Mutual Insurance Company*

CERTIFICATE OF SERVICE

I hereby certify that on February 28, 2017, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system, which will send a notice of electronic filing to the following:

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